

IN THE UNITED STATES PATENT OFFICE

In re Application of
Hideaki Takahashi

App. No.: 10/707589
Filed: December 23, 2003
Conf. No.: 1588
Title: ROTARY ELECTRIC DEVICE
Examiner: Y. Comas
Art Unit: 2834
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST TO CONSIDER ATTACHED AMENDMENT AS BEING FILED TIMELY

Dear Sir:

In response to the Office Action, dated January 25, 2006, and the Decision, dated August 1, 2006 the Commissioner is requested to have the accompanying Amendment as timely filed for the reasons now to be set out.

As indicated, a Final Office Action was mailed on January 25, 2006 based on a newly cited reference. Applicant's undersigned attorney immediately on January 26, 2006 filed a petition to have the finality of that action withdrawn. That request was not answered and a Status Letter filed by fax on April 23, 2006, on which the Commissioner was copied. Again no reply was received even though the time for response was running.

The undersigned then called the Group Supervisor and that finally resulted in the Decision mailed August 1, 2006 accepting applicants request, but was silent as to when a response was due since at that time the Statutory Period had run. Thus it is requested that the case not be considered Abandoned due to the delay in response from the Office.

Respectfully submitted:



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